

REMARKS/ARGUMENTS

The official Office Action dated June 1, 2006, has been carefully considered. The Applicants thank the Examiner for allowing claims 14-19 and 33-38, and for indicating that claims 5-13, 20, 24-32, 39, and 41 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 2-20 and 22-42 remain in the application. Claims 2, 4, 22, and 23 were amended to provide proper antecedent basis.

No new matter has been added by the foregoing amendments, full support therefore being shown in the drawings and specification as filed. All claims remaining in the application are believed to now be in condition for allowance.

Reconsideration and reexamination of the application is respectfully requested in view of the referenced amendments and the following remarks.

Personal Interview Summary

The Applicants kindly thank the Examiner for the personal interview with the Applicants' representative on August 22, 2006. The Applicants would also like to thank the Examiner for indicating, during the interview, that the claims as presently amended are allowed over the cited art of record. During the personal interview, the Applicants' representative and the Examiner discussed the Applicants' independent claims in view of the cited art of record, with particular attention to the Claywell et al. reference.

Rejection Under 35 U.S.C. §103

Claims 2-4, and 40 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Claywell et al. (U.S. Pat. No. 3,167,183) in view of EP 1,264,570. This rejection is respectfully traversed.

During the personal interview with the Applicants' representative, the Examiner acknowledged that these references, alone or in combination, do not teach or suggest an adjustable utensil carrier that is moveable between two positions to reorient the food contact surface of the utensil relative to the water spray assembly and the side spray assembly as called for and defined by the claims. Rather, for example, Claywell et al. discloses a cup rack that can

be supported in alternate positions wherein the alternate positions do not reorient the food contact surface of the utensil as called for and as defined by the claims. As such, this rejection must fail.

Because claims 2-4 depend, directly or indirectly, from claim 40, these claims are for the same reasons patentable over Claywell et al. in view of EP 1,264,570.

Rejection Under 35 U.S.C. §102

Claims 22-23, and 42 stand rejected under 35 U.S.C. §102 as being anticipated by Claywell et al. (U.S. Pat. No. 3,167,183). This rejection is respectfully traversed.

This rejection must fail for the same reasons as stated above for the §103 rejection.

CONCLUSION

It is respectfully submitted that all of the pending claims in the application are allowable over the prior art of record. Early notification of allowability is respectfully requested.

Respectfully submitted,
JAY C. LANDSIEDEL ET AL.

Dated: August 30, 2006

By: /Mark A. Davis/
Mark A. Davis, Reg. No. 37,118
Michael F. Kelly, Reg. No. 50,859
McGARRY BAIR PC
171 Monroe Avenue, NW, Suite 600
Grand Rapids, Michigan 49503
616-742-3500